



Atty. Dkt. No. 084335-0131

1653  
4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kazuo Nagai et al.  
Title: NOVEL GENE  
Appl. No.: 09/786,474  
Filing Date: March 5, 2001  
Examiner: Gabriele E. Bugaisky  
Art Unit: 1653

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AMENDMENT TRANSMITTAL

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [ ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.
- [ ] Small Entity statement is enclosed.
- [ X ] The fee required for additional claims is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	52	20	32	x \$18.00	\$576.00
Independents:	7	7	0	x \$84.00	\$0.00
First presentation of any Multiple Dependent Claims:				+ \$280.00	\$280.00
CLAIMS FEE TOTAL:					\$856.00

- [ X ] Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$110.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$400.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$920.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,440.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,960.00	\$0.00
EXTENSION FEE TOTAL:			\$110.00
CLAIMS AND EXTENSION FEE TOTAL:			\$966.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:			\$966.00

- ☐ Please charge Deposit Account No. 19-0741 in the amount of \$966.00. A duplicate copy of this transmittal is enclosed.
- ☒ A check in the amount of \$966.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

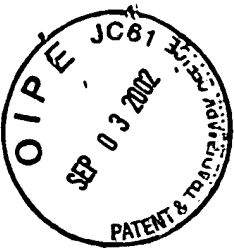
Sept. 3, 2002

By

Stephen B. Maebius

FOLEY & LARDNER  
Washington Harbour  
3000 K Street, N.W., Suite 500  
Washington, D.C. 20007-5143  
Telephone: (202) 672-5569  
Facsimile: (202) 672-5399

Stephen B. Maebius  
Attorney for Applicant  
Registration No. 35,264



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**AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the office action mailed July 2, 2002, applicants request that the following remarks be made of record in the above-captioned patent application.

Please amend the application as follows:

**IN THE CLAIMS:**

Please cancel claims 5-9 and 13 without prejudice.

1. (Amended) A DNA encoding (a) a protein which comprises the amino acid sequence of SEQ ID NO: 2, or (b) a protein which comprises an amino acid sequence, wherein one or more amino acids are deleted, substituted, or added in the amino acid sequence of SEQ ID NO: 2, and which has an activity of giving a lysozyme insensitivity to a lysozyme-sensitive microorganism belonging to *Corynebacterium glutamicum*.

09/04/2002 TBESHAH1 00000085 09786474

01 FC:103  
02 FC:104

576.00 OP  
280.00 OP